

1 Stephen C. Jensen (SBN 149894)
steve.jensen@knobbe.com
2 Joseph R. Re (SBN 134479)
3 Joe.re@knobbe.com
Joseph F. Jennings (SBN 145920)
4 joe.jennings@knobbe.com
5 Stephen W. Larson (SBN 240844)
stephen.larson@knobbe.com
6 Cheryl T. Burgess (SBN 250101)
Cheryl.burgess@knobbe.com
7 **KNOBBE, MARTENS, OLSON & BEAR, LLP**
8 2040 Main Street
Fourteenth Floor
9 Irvine, CA 92614
Phone: (949) 760-0404
10 Facsimile: (949) 760-9502

11 Adam B. Powell (SBN 272725)
adam.powell@knobbe.com
12 **KNOBBE, MARTENS, OLSON & BEAR, LLP**
13 3579 Valley Centre Drive
San Diego, CA 92130
14 Phone: (858) 707-4000
Facsimile: (858) 707-4001

15 Attorneys for Plaintiff
16 APPLIED MEDICAL RESOURCES CORPORATION

17
18 IN THE UNITED STATES DISTRICT COURT
19 FOR THE CENTRAL DISTRICT OF CALIFORNIA

20
21 SOUTHERN DIVISION
22 APPLIED MEDICAL RESOURCES
CORPORATION, a California
corporation,

23 Plaintiff,

24 v.

25 MEDTRONIC, INC., a Minnesota
26 corporation,

27 Defendant.

) Case No.
8:23-cv-00268-WLH-DFM

) **PLAINTIFF APPLIED
MEDICAL RESOURCES
WITNESS LIST**

) Final Pretrial Conf. May 16, 2025
Trial: June 2, 2025

) Hon. Wesley L. Hsu

Plaintiff Applied Medical Resources Corporation (“Applied Medical”) provides this Witness List.

Applied Medical reserves the right to amend its list of witnesses as the parties continue pre-trial preparation and in view of events at trial or other developments, including evidentiary rulings or other rulings by the Court. Applied Medical also reserves the right not to call any particular witness (either live or by deposition) set forth in the list below, or to present by deposition a witness listed as live below. For witnesses identified as testifying by deposition, Applied Medical reserves the right to call such witness to testify live if such witness is made available to do so. The identification of a witness on this list is not an admission that the witness’s testimony is admissible if called by Defendant Medtronic, Inc. (“Medtronic”). Applied Medical also reserves its right to object to any witness or testimony that is objectionable or inadmissible. The parties have previously provided the address, telephone number and/or contact information for each witness.

Applied Medical identifies the following Applied Medical fact witnesses and experts that it intends to call live. *Indicates that witness will be called only if the need arises.

Witness’s Name*, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Said Hilal, CEO, Applied Medical	Applied Medical’s history, business, and efforts to compete	1.5	N/A	
Gary Johnson, Group President of Advanced Energy, Applied Medical	Applied Medical’s products, technology, and efforts to compete	4	N/A	
Brian Carpenter, VP of Corporate Accounts, Applied Medical	Applied Medical’s efforts to compete, including for particular hospitals	2	N/A	

Witness's Name*, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Tim McLaughlin, Vice President of Field Implementation, Applied Medical	Applied Medical's efforts to compete, including for particular hospitals	2	N/A	
Michelle Weaver, Director of GPO Relations, Applied Medical	Applied Medical's interactions with group purchasing organizations and efforts to compete for particular hospitals	1	N/A	
Chris Popma, VP for Market Implementation and Support, Applied Medical	Applied Medical's business and experience in Europe	3	N/A	
Jonathan Orszag, Expert Witness	Expert analysis of antitrust liability and damages	5	N/A	
*Susan Ahlberg, President of Global Distribution Operations, Applied Medical	Applied Medical's customer and order management	TBD	N/A	
*Matt Burnett, Senior Director – Applied Learning, Applied Medical	Applied Medical training documents	TBD	N/A	
*Patrick Elliott, GM of Technology Development, Applied Medical	Applied Medical's technology, including Voyant product development	TBD	N/A	

Witness's Name*, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
*Dennis Grosshans, GM of US Field Implementation Team, Applied Medical	Applied Medical's efforts to compete for particular hospitals and interactions with group purchasing organizations	TBD	N/A	
*Joost Heijmans, Vice President, Field Implementation Europe, Applied Medical	Applied Medical's contracting in Europe	TBD	N/A	
*Molly Lehman, former Vice President, Strategic Initiatives, Applied Medical	Applied Medical's interactions with group purchasing organizations	TBD	N/A	
*Fahim Nassery (Director of Clinical Development), Applied Medical	Applied Medical's products and clinical development	TBD	N/A	
*Amanda Packard, Vice President, Distribution Operations, Applied Medical	Applied Medical's pricing, field operations, and distribution	TBD	N/A	
*Matt Petrine, Group Vice President, Global Education, Applied Medical	Applied Medical contracting practices	TBD	N/A	
*Samer Tall, Vice President for Contracts and Customer Relations, Applied Medical	Applied Medical contracting practices	TBD	N/A	

Applied Medical identifies the following Medtronic witnesses that Applied Medical intends to examine live during Medtronic's case-in-chief, with the understanding that Applied Medical may keep its case-in-chief open and will have a full opportunity to question the below witnesses about all topics when Medtronic calls the witness, without regard to the scope of the initial direct examination. Applied Medical reserves the right to call the below witnesses live or by deposition, including issuing trial subpoenas if Medtronic declines to call such witness live or refuses to agree that Applied Medical may examine the witnesses outside the scope of direct.

Witness's Name, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Matt Anderson, President of the Surgical Operating Unit, Medtronic	Medtronic's history, business, and competition	0.50	TBD	
Charles Favilla, Regional Vice President-Northeast, Medtronic	Medtronic's sales practices, including at particular hospitals	1.0	TBD	
John Hendershot, Vice President of U.S. Sales and Marketing, Medtronic	Medtronic's marketing practices	0.75	TBD	
Michael McDaniel, Director of Enterprise Accounts, Medtronic	Medtronic's sales practices, including at particular hospitals	0.75	TBD	

Witness's Name, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Ricky Murphy, Senior Manager-Strategy Group, Medtronic	Medtronic's sales strategies	0.50	TBD	
Greg Shipman, Director of the Advanced Surgical Technologies Competitive Strategy Team, Medtronic	Medtronic's competition strategies	0.50	TBD	
Barbara Tyrrell, Senior Director of Clinical Engineering and Design Validation, Medtronic	Medtronic product testing	0.50	TBD	

Applied Medical further identifies the following Medtronic or third-party witnesses that Applied Medical may call by deposition only in lieu of live testimony. Applied Medical reserves the right to call these witnesses live if the parties do not agree to waive the unavailability requirements of Rule 32.

Witness's Name, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Dr. Jaime Cepeda, Bariatric Medical Director, Surgeon in Bariatrics, Bon Secours Hospital, St. Luke's Hospital	Physician preferences for advanced bipolar devices	0.25	N/A	

Witness's Name, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Dr. Grover May, Physician in Obstetrics and Gynecology, Franklin Woods Community Hospital, Johnson City Medical Center, Indian Path Community Hospital, Holston Valley Medical Center, Sycamore Shoals Hospital	Physician preferences for advanced bipolar devices	0.25	N/A	
Dr. Brooke Naffziger, Physician in Obstetrics and Gynecology, Carolina Women's Physicians-Lexington Medical Center	Physician preferences for advanced bipolar devices	0.25	N/A	
Lauryl Boyum, Former Senior Director of U.S. Marketing, Medtronic	Medtronic's marketing practices; the markets in which Medtronic competes; Medtronic's market intelligence	0.25	N/A	
Ryan Corley, Regional Vice President of Sales for the Midwest, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies; certain Medtronic contracts	0.50	N/A	

Witness's Name, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Kevin Dixon, Former Senior Director-Strategic Sourcing Group, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies; the markets in which Medtronic competes; Medtronic's market intelligence; certain Medtronic contracts.	0.25	N/A	
Greg Goodall, Senior Director of Enterprise Accounts, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies; certain Medtronic contracts.	0.50	N/A	
Brian Holmes, Vice President of Enterprise Accounts, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies; certain Medtronic contracts	0.25	N/A	
James Hudson, Former Vice President of Sales-GYN and OR Safety, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies.	0.50	N/A	
Barry Kaup, Director of Upstream Marketing for Advanced Energy Portfolio, Medtronic	Medtronic's sales and contracting practices in Europe	0.50	N/A	

Witness's Name, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Michael LaCasse, United States Vice President of Specialty Channels, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies.	0.25	N/A	
Stephen McGovern, Former Regional Vice President of Sales-Midwest, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies; the markets in which Medtronic competes and Medtronic's position in those markets	0.50	N/A	
Terry Menebroker, Manager of the Contract Development Team, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies.	0.25	N/A	
Jamie Montgomery, Senior Director of Commercial Contracting-Special Channels Group, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies; the markets in which Medtronic competes and Medtronic's position in those markets.	0.50	N/A	
Brandon Price, Senior Managing Director, Enterprise Accounts, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies.	0.25	N/A	

Witness's Name, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Christopher Rainieri, Senior Program Director-Advanced Energy, Medtronic	Medtronic's products and product development.	0.25	N/A	
Rayne Robertson, Former Product Director, Medtronic	Medtronic's business strategies, including certain documents evidencing those strategies; the markets in which Medtronic competes and Medtronic's position in those markets.	0.75	N/A	

Applied Medical further reserves the right to amend its list pending the parties' pre-trial discussions and Medtronic's final witness list. In addition to the witnesses identified above, Applied Medical reserves the right to call anyone appearing on Medtronic's Witness List.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 18, 2025

By: /s/ Cheryl T. Burgess

Stephen C. Jensen
Joseph R. Re
Joseph F. Jennings
Stephen W. Larson
Cheryl T. Burgess
Adam B. Powell

Attorneys for Plaintiff
APPLIED MEDICAL RESOURCES
CORPORATION